

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MINNESOTA**

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WAYNE NICOLAISON,

Civil No. 17-1354 (JRT/SER)

Plaintiff,

v.

**ORDER**

HENNEPIN COUNTY,

Defendant.

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Wayne Nicolaison, MSOP, 1111 Highway 73, Moose Lake, MN 55767, *pro se* plaintiff.

A Report and Recommendation was filed by Magistrate Judge Steven E. Rau on June 23, 2017. No objections have been filed to that Report and Recommendation in the time period permitted. Based on the Report and Recommendation of the Magistrate Judge, all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. This matter is **DISMISSED WITHOUT PREJUDICE**.
2. Plaintiff Wayne Nicolaison's applications to proceed in forma pauperis [Docket Nos. 2 & 3] are **DENIED**.
3. Nicolaison's motion for appointment of counsel [Docket No. 4] is **DENIED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: July 11, 2017  
at Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court